

**General Docket**  
**United States Court of Appeals for District of Columbia Circuit**

**Court of Appeals Docket #:** 12-5004

**Docketed:** 01/11/2012

**Nature of Suit:** 2895 Freedom of Information Act of 1974

**Termed:** 04/02/2013

Citizens for Resp. and Ethics v. Federal Election Commission

**Appeal From:** United States District Court for the District of Columbia

**Fee Status:** Fee Paid

**Case Type Information:**

- 1) Civil US
- 2) United States
- 3)

**Originating Court Information:**

**District:** 0090-1 : [1:11-cv-00951-CKK](#)

**Lead:** [1:11-cv-00951-CKK](#)

**Trial Judge:** Colleen Kollar-Kotelly, U.S. District Judge

**Date Filed:** 05/23/2011

**Date Order/Judgment:**

12/30/2011

**Date NOA Filed:**

01/09/2012

**Prior Cases:**

None

**Current Cases:**

None

**Panel Assignment:**

**Panel:** DBS TBG BMK

**Date of Hearing:** 10/16/2012

**Date of Decision:** 04/02/2013

**Date Completed:** 04/02/2013

Citizens for Responsibility and Ethics in Washington  
Plaintiff - Appellant

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Federal Election Commission  
Defendant - Appellee

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Citizens for Responsibility and Ethics in Washington,

Plaintiff - Appellant

v.

Federal Election Commission,

Defendant - Appellee

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United States of America,

Amicus Curiae

Public Citizen; Electronic Frontier Foundation; Electronic Privacy Information Center; OMB Watch; OpenTheGovernment.org; Project on Government Oversight,

Amici Curiae for Appellant

01/11/2012		US CIVIL CASE docketed. [12-5004]
01/11/2012	<input type="checkbox"/> 22 pg, 109.74 KB	NOTICE OF APPEAL filed [1351989] by Citizens for Responsibility and Ethics in Washington seeking review of a decision by the U.S. District Court in 1:11-cv-00951-CKK. Assigned USCA Case Number [12-5004]
01/11/2012	<input type="checkbox"/> 2 pg, 46.23 KB	CLERK'S ORDER filed [1351991] directing party to file initial submissions: APPELLANT docketing statement due 02/10/2012. APPELLANT certificate as to parties, etc. due 02/10/2012. APPELLANT statement of issues due 02/10/2012. APPELLANT underlying decision due 02/10/2012. APPELLANT deferred appendix statement due 02/10/2012. APPELLANT notice of appearance due 02/10/2012. APPELLANT transcript status report due 02/10/2012. APPELLANT procedural motions due 02/10/2012. APPELLANT dispositive motions due 02/27/2012; directing party to file initial submissions: APPELLEE certificate as to parties, etc. due 02/10/2012. APPELLEE entry of appearance due 02/10/2012. APPELLEE procedural motions due 02/10/2012. APPELLEE dispositive motions due 02/27/2012 [12-5004]
02/08/2012	<input type="checkbox"/> 2 pg, 8.4 KB	CERTIFICATE AS TO PARTIES, RULINGS AND RELATED CASES FILED [1357184] by Citizens for Responsibility and Ethics in Washington [Service Date: 02/08/2011 ] [12-5004] (Weismann, Anne)
02/08/2012	<input type="checkbox"/> 1 pg, 9.52 KB	CERTIFICATE OF SERVICE [1357186] to certificate <a href="#">[1357184-2]</a> filed by Citizens for Responsibility and Ethics in Washington. [12-5004] (Weismann, Anne)
02/08/2012	<input type="checkbox"/> 1 pg, 651.5 KB	DOCKETING STATEMENT FILED [1357188] by Citizens for Responsibility and Ethics in Washington [Service Date: 02/08/2011 ] [12-5004] (Weismann, Anne)
02/08/2012	<input type="checkbox"/> 1 pg, 9.52 KB	CERTIFICATE OF SERVICE [1357189] to statement <a href="#">[1357188-2]</a> filed by Citizens for Responsibility and Ethics in Washington. [12-5004] (Weismann, Anne)
02/08/2012	<input type="checkbox"/> 1 pg, 428.9 KB	ENTRY OF APPEARANCE filed [1357190] by Anne L. Weismann and co-counsel Melanie Sloan on behalf of Appellant Citizens for Responsibility and Ethics in Washington. [12-5004] (Weismann, Anne)
02/08/2012	<input type="checkbox"/> 1 pg, 9.52 KB	CERTIFICATE OF SERVICE [1357192] to notice <a href="#">[1357190-2]</a> filed by Citizens for Responsibility and Ethics in Washington. [12-5004] (Weismann, Anne)
02/08/2012	<input type="checkbox"/> 1 pg, 6.96 KB	STATEMENT OF INTENT REGARDING APPENDIX DEFERRAL FILED [1357194] by Citizens for Responsibility and Ethics in Washington [Service Date: 02/08/2012 ] Intent: AppxNotDeferred [12-5004] (Weismann, Anne)
02/08/2012	<input type="checkbox"/> 1 pg, 9.52 KB	CERTIFICATE OF SERVICE [1357195] to statement <a href="#">[1357194-2]</a> filed by Citizens for Responsibility and Ethics in Washington. [12-5004] (Weismann, Anne)
02/08/2012	<input type="checkbox"/> 2 pg, 7.87 KB	STATEMENT OF ISSUES FILED [1357196] by Citizens for Responsibility and Ethics in Washington [Service Date: 02/08/2012 ] [12-5004] (Weismann, Anne)
02/08/2012	<input type="checkbox"/> 1 pg, 9.52 KB	CERTIFICATE OF SERVICE [1357197] to statement <a href="#">[1357196-2]</a> filed by Citizens for Responsibility and Ethics in Washington. [12-5004] (Weismann, Anne)
02/08/2012	<input type="checkbox"/> 1 pg, 476.13 KB	TRANSCRIPT STATUS REPORT [1357200] by Citizens for Responsibility and Ethics in Washington [Service Date: 02/08/2012 ]. Status of Transcripts: Final - No transcripts are needed for the appeal. [12-5004] (Weismann, Anne)
02/08/2012	<input type="checkbox"/> 1 pg, 9.52 KB	CERTIFICATE OF SERVICE [1357201] to report status of transcript (final) <a href="#">[1357200-2]</a> filed by Citizens for Responsibility and Ethics in Washington. [12-5004] (Weismann, Anne)
02/08/2012	<input type="checkbox"/> 18 pg, 60.9 KB	UNDERLYING DECISION IN CASE submitted [1357202] by Citizens for Responsibility and Ethics in Washington [Service Date: 02/08/2012 ] [12-5004] (Weismann, Anne)
02/08/2012	<input type="checkbox"/> 1 pg, 9.52 KB	CERTIFICATE OF SERVICE [1357203] to record <a href="#">[1357202-2]</a> filed by Citizens for Responsibility and Ethics in Washington. [12-5004] (Weismann, Anne)
02/10/2012	<input type="checkbox"/> 3 pg, 17.5 KB	CERTIFICATE AS TO PARTIES, RULINGS AND RELATED CASES FILED [1357680] by FEC [Service Date: 02/10/2012 ] [12-5004] (Kolker, David)
02/10/2012	<input type="checkbox"/> 2 pg, 25.2 KB	ENTRY OF APPEARANCE filed [1357683] by David Kolker on behalf of Appellee FEC. [12-5004] (Kolker, David)
03/21/2012	<input type="checkbox"/> 1 pg, 41 KB	CLERK'S ORDER filed [1364921] setting briefing schedule: APPELLANT Brief due 05/03/2012. Appendix due 05/03/2012. APPELLEE Brief due on 06/04/2012. APPELLANT Reply Brief due 06/18/2012 [12-5004]
04/11/2012	<input type="checkbox"/> 5 pg, 86.12 KB	MODIFIED PARTY FILER-NOTICE filed [1368274] by Public Citizen of intention to participate as amicus curiae. [Disclosure Listing: Attached] [Service Date: 04/11/2012] [12-5004]-[Edited 04/12/2012 by KRM] (Murray, Julie)
04/20/2012	<input type="checkbox"/> 4 pg, 15.36 KB	JOINT UNOPPOSED MOTION filed [1369808] by Citizens for Responsibility and Ethics in Washington and FEC to extend time to file motion to 06/11/2012. Pages: 1-10. [12-5004] (Weismann, Anne)
04/20/2012	<input type="checkbox"/> 1 pg, 9.72 KB	CERTIFICATE OF SERVICE [1369810] to motion to extend time <a href="#">[1369808-2]</a> filed by Citizens for Responsibility and Ethics in Washington. [12-5004] (Weismann, Anne)
04/20/2012	<input type="checkbox"/> 2 pg, 8.66 KB	STATEMENT FILED [1369811] by Citizens for Responsibility and Ethics in Washington with Disclosure Listing [Service Date: 04/20/2012 ] [12-5004] (Weismann, Anne)
04/20/2012	<input type="checkbox"/> 1 pg, 38.75 KB	CLERK'S ORDER filed [1369968] granting the joint motion to extend time to file the briefs <a href="#">[1369808-2]</a> , The following revised briefing schedule will now apply: APPELLANT Brief due 06/11/2012. Appendix due 06/11/2012. APPELLEE Brief due on 07/10/2012. APPELLANT Reply Brief due 07/24/2012 [12-5004]
06/11/2012	<input type="checkbox"/> 75 pg, 334.14 KB	APPELLANT BRIEF [1378024] filed by Citizens for Responsibility and Ethics in Washington [Service Date: 06/11/2012 ] Length of Brief: 9.196 words. [12-5004] (Weismann, Anne)
06/11/2012	<input type="checkbox"/> 79 pg, 975.91 KB	APPENDIX [1378025] filed [Volumes: 1] [Service Date: 06/11/2012 ] [12-5004] (Weismann, Anne)
06/15/2012	<input type="checkbox"/>	MODIFIED PARTY FILER-NOTICE filed [1378964] by Public Citizen, Electronic Frontier Foundation,

	8 pg, 97.09 KB	Electronic Privacy Information Center, OMB Watch, OpenTheGovernment.org, and Project On Government Oversight (POGO) of intention to participate as amicus curiae. [Disclosure Listing: Attached] [Service Date: 06/15/2012 ] [12-5004]–[Edited 06/18/2012 by KRM] (Murray, Julie)
06/18/2012	 45 pg, 395.35 KB	AMICUS FOR APPELLANT BRIEF [1379212] filed by Electronic Frontier Foundation, Electronic Privacy Information Center, OMB Watch, OpenTheGovernment.org, Project on Government Oversight and Public Citizen [Service Date: 06/18/2012 ] Length of Brief: 6,880 Words. [12-5004] (Murray, Julie)
07/10/2012	 49 pg, 160.44 KB	APPELLEE BRIEF [1382844] filed by FEC [Service Date: 07/10/2012 ] Length of Brief: 8,893 Words. [12-5004] (Hajjar, Steve)
07/18/2012	 1 pg, 41.12 KB	CLERK'S ORDER filed [1384337] scheduling oral argument before Judges SENTELLE, GRIFFITH, KAVANAUGH Tuesday, 10/16/2012 AM [12-5004]
07/24/2012	 32 pg, 207.6 KB	APPELLANT REPLY BRIEF [1385201] filed by Citizens for Responsibility and Ethics in Washington [Service Date: 07/24/2012 ] Length of Brief: 5,8000. [12-5004] (Weismann, Anne)
10/04/2012	 1 pg, 41.57 KB	PER CURIAM ORDER filed [1397997] allocating oral argument time as follows: Appellant – 10 Minutes, Appellee – 10 Minutes. One counsel per side to argue; directing party to file Form 72 notice of arguing attorney - due 10/09/2012 [12-5004]
10/04/2012		MODIFIED EVENT–FORM 72 submitted by Attorney on behalf of Appellant Citizens for Responsibility and Ethics in Washington [1398089]. [Service Date: 10/04/2012 ] [12-5004]–[Edited 10/04/2012 by KRM] (Weismann, Anne)
10/09/2012		FORM 72 submitted by arguing attorney, Steve N. Hajjar, on behalf of Appellee FEC. [12-5004] (Hajjar, Steve)
10/16/2012	 1 pg, 40.89 KB	ORAL ARGUMENT HELD before Judges Sentelle, Griffith and Kavanaugh. [12-5004]
10/16/2012	 1 pg, 39.88 KB	PER CURIAM ORDER filed [1399979] Upon consideration of the briefs of the parties and the oral argument held on October 16, 2012, it is ORDERED, on the court's own motion, that the United States Department of Justice be invited to file a brief, not to exceed twenty (20) pages, by 4:00 p.m. on November 8, 2012, expressing the views of the United States on this case. Before Judges: Sentelle, Griffith and Kavanaugh. [12-5004]
11/01/2012	 1 pg, 389.05 KB	ENTRY OF APPEARANCE filed [1402730] by Sarang V. Damle and co-counsel Michael S. Raab on behalf of Appellee FEC. [12-5004] (Damle, Sarang)
11/01/2012	 5 pg, 134.06 KB	UNOPPOSED MOTION filed [1402731] by FEC to extend time to file brief to 11/21/2012. [Service Date: 11/01/2012 ] Pages: 1-10. [12-5004] (Damle, Sarang)
11/06/2012	 1 pg, 39.28 KB	PER CURIAM ORDER filed [1403429] granting the government's unopposed motion for a thirteen-day extension of time in which to file a brief in response to the court's order [ <a href="#">1402731-2</a> ]; The responsive brief of the United States Department of Justice is now due on or before 4:00 pm on November 21, 2012. Before Judges: Sentelle, Griffith and Kavanaugh. [12-5004]
11/21/2012	 25 pg, 219.62 KB	APPELLEE SUPPLEMENTAL BRIEF [1406316] filed by FEC [Service Date: 11/21/2012 ] Length of Brief: 17 pages. [12-5004] (Damle, Sarang)
11/30/2012	 2 pg, 8.8 KB	UNOPPOSED MOTION filed [1407535] by Citizens for Responsibility and Ethics in Washington for leave to file motion [Service Date: 11/30/2012 ] Pages: 1-10. [12-5004] (Weismann, Anne)
11/30/2012	 1 pg, 6.4 KB	CERTIFICATE OF SERVICE [1407539] to motion for leave to file [ <a href="#">1407535-2</a> ] filed by Citizens for Responsibility and Ethics in Washington. [12-5004] (Weismann, Anne)
11/30/2012	 14 pg, 29.19 KB	MODIFIED EVENT FROM FILED TO LODGED–APPELLANT SUPPLEMENTAL BRIEF [1407541] LODGED by Citizens for Responsibility and Ethics in Washington [Service Date: 11/30/2012] Length of Brief: 8 pgs.. [12-5004] (Weismann, Anne)
12/04/2012	 1 pg, 38.47 KB	PER CURIAM ORDER filed [1408260] granting appellant's unopposed motion for leave to file a supplemental brief [ <a href="#">1407535-2</a> ]; The Clerk is directed to file the lodged supplemental brief [ <a href="#">1407541-2</a> ] Before Judges: Sentelle, Griffith and Kavanaugh. [12-5004]
12/04/2012		PER ABOVE ORDER lodged Appellant/Petitioner brief [ <a href="#">1407541-2</a> ] is filed [12-5004]
04/02/2013	 1 pg, 55.17 KB	PER CURIAM JUDGMENT filed [1428417] that the judgment of the District Court appealed from in this cause is hereby reversed and the case is remanded for further proceedings for the reasons in the accompanying opinion . Before Judges: Griffith, Kavanaugh and Sentelle. [12-5004]
04/02/2013	 19 pg, 82.92 KB	OPINION filed [1428419] (Pages: 19) for the Court by Judge Kavanaugh [12-5004]
04/02/2013	 1 pg, 38.67 KB	CLERK'S ORDER filed [1428420] withholding issuance of the mandate. [12-5004]
06/04/2013		MANDATE ISSUED to Clerk, District Court [12-5004]

